

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

CONSOLIDATED INDUSTRIES, LLC d/b/a  
WEATHER KING PORTABLE BUILDINGS

Plaintiff

-vs-

BRIAN L. LASSEN and ALEYNA LASSEN

Defendants, pro se

1:22-cv-01230-STA-jay

(Case I.D. Number)

**AFFIDAVIT**

I, Brian Lassen, of Willcox, in COCHISE County, Arizona, MAKE OATH AND SAY THAT:

1. I, Brian Lassen, am creating this Affidavit as a testimony pertaining to reasons, I nearly missed a court ORDERED hearing on November 12, 2024, at 10:00 a.m. central time.
2. On October 21, 2024, I, Brian Lassen, along with my wife, Aleyna Lassen, emailed our defense counsel, Taft Stettinius & Hollister LLP asking them to terminate, "our current legal relationship." for one reason, "We do not feel we are being represented well...".
3. On October 22, 2024, I, Brian Lassen, received by email a letter, PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION from Taft Stettinius & Hollister LLP in response to our email dated October 21, 2024.
4. On October 23, 2024, I, Brian Lassen, received an email from Benjamin S. Morrell, an attorney with Taft Stettinius & Hollister LLP, saying he had attached a courtesy copy of the motion (D.E.153) filed earlier that day by Weather King and also, he would file a request with the Court (D.E.155) asking it to allow additional time for us to file a response.
5. On October 24, 2024, I, Brian Lassen, received an email from Benjamin S. Morrell simply saying, "Please see attached" and the attachment being the PLAINTIFF'S RESPONSE TO MOTION TO WITHDRAW AS COUNSEL (D.E. 156)

6. I, Brian Lassen, had no further contact with Benjamin S. Morrell or any other attorney at the Taft Stettinius & Hollister LLP law firm after October 24, 2024, until the morning of November 12, 2024.
7. On November 12, 2024, I, Brian Lassen, received a missed call on my cell phone from "Taft Law" at 8:32 a.m., Arizona time, and again at 8:45 a.m., Arizona time, which I took the call. At 8:14 a.m., Arizona time, an email was sent from Benjamin S. Morrell, saying we had a mandatory hearing to attend at 10:00 a.m. central time, which is 9:00 a.m. Arizona time. There were two attachments to that email. One said, "the file type is not supported". We could not open it. The other attachment is 61 pages of computer programming language. The file type is calendar.ics. But we do not have software to open this attachment.
8. On November 12, 2024, at 9:15 a.m. Arizona time, and 10:15 a.m. central time, as my wife, Aleyna Lassen, was on the phone with Benjamin S. Morrell, he sent us another email with a link to follow and attend the meeting on her cell phone. We were nearly 20 minutes late attending the mandatory, Court Ordered hearing.
9. During the hearing on November 12, 2024, at around 10:20 a.m. central time, Magistrate Judge, Jon A. York Granted the motion to withdraw attorneys Morrell and Pasternak as counsel for the Lassen Defendants. (D.E. 160)
10. I, Brian Lassen, read for the first time a copy of the ORDER (D.E. 159) after my wife, Aleyna Lassen, printed it off the website, PACER the afternoon of November 12, 2024. It states, "The current attorneys for the Lassen Defendants must inform the Lassen Defendants of how to access the hearing. An invitation to the hearing will be sent concurrently with the order."  
I, Brian Lassen, had not ever received notice, in any form, of this hearing.
11. As stated in the original email my wife Aleyna Lassen and I, Brian Lassen, sent on October 21, 2024, to Taft Stettinius & Hollister LLP, we didn't feel we were being represented well.

Affidavit

Page 3 of 3

STATE OF ARIZONA

COUNTY OF COCHISE

SUBSCRIBED AND SWORN TO BEFORE

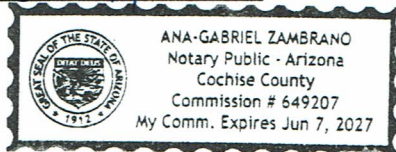
ME, on the 15 day of  
November, 2024

Signature

(Seal)

NOTARY PUBLIC

My Commission expires:

June 07 2027B L L

(Signature)

Brian L. Lassen

**CERTIFICATE OF SERVICE**

UNDER PENALTY OF PERJURY, I CERTIFY that a copy of the foregoing was provided by email to the following attorneys for Plaintiff and Defendants:



---

Brian Lassen, *pro se*

David L. Johnson  
John H. Dollarhide  
BUTLER SNOW LLP  
150 3<sup>rd</sup> Avenue South, Suite 1600  
Nashville, TN 37201  
(615) 651-6700  
[david.johnson@butlersnow.com](mailto:david.johnson@butlersnow.com)  
[john.dollarhide@butlersnow.com](mailto:john.dollarhide@butlersnow.com)  
*Attorney for Plaintiff*

Thomas G. Pasternak  
Benjamin S. Morrell  
TAFT STETTINIUS & HOLLISTER LLP  
111 East Wacker Drive, Suite 2600  
Chicago, IL 60601  
Telephone: (312) 527-4000  
Fax: (312) 527-4011  
[tpasternak@taftlaw.com](mailto:tpasternak@taftlaw.com)  
[bmorrell@taftlaw.com](mailto:bmorrell@taftlaw.com)  
*Attorney for Defendants*

Daniel W. Van Horn  
6075 Poplar Ave., Suite 500  
Memphis, TN 38119  
(901) 680-7200  
[danny.vanhorn@butlersnow.com](mailto:danny.vanhorn@butlersnow.com)  
*Attorney for Plaintiff*